

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

JEREMY DAVIS

PLAINTIFF

V.

CIVIL ACTION NO. 1:21-CV-00064-NBB-DAS

JIMMY EDWARDS,  
SCOTT BENSON, and  
KAYLA HARRISON

DEFENDANTS

ORDER DISMISSING CASE WITHOUT PREJUDICE

This matter comes before the Court, *sua sponte*, for consideration of dismissal. On April 1, 2021, Plaintiff Jeremy Davis, proceeding *pro se*, filed a complaint challenging the conditions of his confinement pursuant to 42 U.S.C. § 1983. Doc. # 1. Subsequently, on April 12, 2021, the Court entered an order setting this matter for a *Spears* hearing. Doc. # 8. The order required Plaintiff to keep the court apprised of his current address and cautioned that his failure to do so could result in the dismissal of this case. *Id.* Despite this warning, Plaintiff failed to comply. *See* Doc. # 12 (mail returned undeliverable). Consequently, on July 12, 2021, the Court entered an Order directing Plaintiff to show cause, within twenty-one (21) days, why his case should not be dismissed for failure to prosecute and/or obey an order of the Court. Doc. # 13. Plaintiff has failed to respond to the show cause order, and the time for doing so has passed. Accordingly, the Court finds that the instant action is hereby **DISMISSED without prejudice** under Rule 41(b) of the Federal Rules of Civil Procedure.

**SO ORDERED**, this the 9th day of August, 2021.

/s/ Neal Biggers

**NEAL B. BIGGERS, JR.**

**UNITED STATES DISTRICT JUDGE**